

Amendments to the Drawings:

The drawing sheets attached in connection with the above-identified application containing Figures 8(a), 8(b) and 9 are being presented as new formal drawing sheets to be substituted for the previously submitted drawing sheets. Figures 8(a), 8(b) and 9 have been amended.

Figures 8(a) and 8(b) have been amended to include the reference numeral for element "14." Figure 9 has been amended to add the reference numerals for elements "8" and "2a."

REMARKS

Claims 1-6 were pending in the application. Claims 1, 3 and 4 have been amended. Claim 5 has been canceled. No claims have been added. Claims 2 and 6 have been withdrawn. Therefore, claims 1-4 and 6 are pending and submitted for reconsideration.

Drawings

Figure 9 is objected to for failing to include the reference numerals for elements “8” and “2a.” Figure 9 has been amended as appropriate. Figures 8(a) and 8(b) have been amended to include the reference numeral for element “14” as described in paragraph number [0056] of the specification. Reconsideration and withdrawal of the objection are respectfully requested.

Furthermore, the Office Action objects to the drawings for failing to show the “hitch member attached to the seat weight sensor as in claim 3.” Office Action at p. 3. However, the hitch member (slide bar 19) of Figure 9 is attached at one end to a mounting bracket 13 of a seat weight sensor. Claim 3, as amended, clarifies that the hitch member is attached to “a mounting bracket of said seat weight sensor,” and thus the objection should be withdrawn.

Specification

The specification is objected to for various informalities. Paragraph number [0061] has been amended as appropriate. Reconsideration and withdrawal of the objection are respectfully requested.

Double Patenting

Claims 1, 4 and 5 are provisionally rejected on the ground of non-statutory double patenting over claims 1, 3, 5 and 6 of co-pending Application No. 10/873,129 (“the ‘129 application”). Claim 3 is provisionally rejected on the ground of non-statutory double patenting over claim 1 of the ‘129 application in view of JP 03-118255. At this time, the ‘129 application is still pending and, therefore, no action is necessary.

35 U.S.C. 112 Rejections

Claims 1 and 3 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement. Specifically, the Office Action states that the specification does not describe how the seat belt is controlled by the measured value of the seat load. Claims 1 and 3 have been amended as appropriate and reconsideration and withdrawal of the rejection are respectfully requested.

35 U.S.C. 103 Rejections

Claims 1, 4 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 4,244,601 (“Nilsson”) in view of U.S. Patent No. 5,873,599 (“Bauer”). Claim 5 has been canceled and, therefore, the rejection will be addressed with respect to claims 1 and 4. The rejection should be withdrawn at least because the references fail to disclose, teach or suggest the claimed recitations.

Nilsson and Bauer, taken together or separately, fail to disclose, teach or suggest “a hitch member [that] is attached immovably to either one of said vehicle *seat* fixed to the vehicle body or said *seat weight sensor* fixed to the vehicle body,” as called for by independent claim 1, or a “slide bar [that] is attached to a mounting bracket of a seat weight sensor” as called for by claim 4. The Office Action contends that the bar 10 of Nilsson is a “hitch member.” However, the bar 10 of Nilsson is only attached at both ends to the vehicle *body* (vehicle door or vehicle floor). *See* Nilsson at Col. 1, line 64 to Col. 2, line 2; and Figs. 1-2. Claim 1 requires that the hitch member is attached to either the seat or seat weight sensor, while claim 4 requires that the hitch member is attached to the mounting bracket of the seat weight sensor. Bauer fails to cure the deficiencies of Nilsson. Therefore, reconsideration and withdrawal of the rejection are respectfully requested.

Claims 1 and 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP 03-118255 (“Babbs”) in view of Bauer. Claim 5 has been canceled and, therefore, the rejection will be addressed with respect to claims 1 and 4. The rejection should be withdrawn at least because the references fail to disclose, teach or suggest the claimed recitations.

Nilsson and Bauer, taken together or separately, fail to disclose, teach or suggest “a hitch member [that] is attached immovably to either one of said vehicle seat ... or said seat

weight sensor,” as called for by claim 1 or a “hitch member [that] comprises an immovable slide bar,” as called for by claim 4. The Office Action contends that Babbs discloses a lap anchor 40 and a hitch member 24. The bar 22 of Babbs (with curved part 24) is movable. One end of the bar 22 is attached to a movable member 8 and, therefore, cannot be “immovable” as called for by claims 1 and 4. *See Babbs at Abstract; and Figs. 2-4.* Reconsideration and withdrawal of the rejection of claims 1 and 4 are respectfully requested.

Claim 3 depends from claim 1 and is allowable therewith, for at least the reasons set forth above, without regard to the further patentable subject matter set forth in this dependent claim.

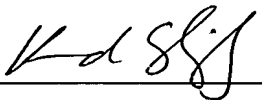
Conclusion

Favorable reconsideration of the application, as amended, is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicants hereby petition for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

By 

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